

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DEXTER LAWRENCE GRIFFIN,  
Plaintiff,  
v.  
PRICE,  
Defendant.

Case No. 1:21-cv-01518-BAM (PC)

ORDER TO SUBMIT A **NON-PRISONER**  
APPLICATION TO PROCEED *IN FORMA  
PAUPERIS* OR PAY THE \$402.00 FILING  
FEE

**THIRTY (30) DAY DEADLINE**

Plaintiff Dexter Lawrence Griffin (“Plaintiff”) is a civil detainee appearing *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 *et seq.* are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000).

Plaintiff has neither paid the \$402.00 filing fee nor submitted an application to proceed *in forma pauperis* on the appropriate form pursuant to 28 U.S.C. § 1915. While Plaintiff did submit a motion for leave to proceed *in forma pauperis* with his complaint, the application is the one used by a prisoner. (ECF No. 2.)

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk’s Office shall send to Plaintiff the attached application to proceed *in forma pauperis* for a **non-prisoner**;

1           2. Within **thirty (30) days** of the date of service of this order, Plaintiff shall submit the  
2 completed and signed application to proceed *in forma pauperis* for a **non-prisoner**, or in the  
3 alternative, pay the \$402.00 filing fee for this action; and

4           3. **Failure to comply with this order will result in dismissal of this action.**

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6 IT IS SO ORDERED.  
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8           Dated: October 15, 2021

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11           /s/ Barbara A. McAuliffe  
12           UNITED STATES MAGISTRATE JUDGE  
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